

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

08 MAY 21 AM 11:24 '08 MJ1588

UNITED STATES OF AMERICA,

Plaintiff,

v.

Paul RAMIREZ-Medina,

Defendant(s)

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
Magistrate Case No.

BY: 

DEPUTY

COMPLAINT FOR VIOLATION OF:

Title 8 U.S.C., Sec. 1324 (a)(2)(B)(iii)
Bringing in Illegal Aliens Without
Presentation

The undersigned complainant, being duly sworn, states:

On or about **May 19, 2008**, within the Southern District of California, defendant **Paul RAMIREZ-Medina**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Bianco Martin WUOTTO-Guzman, Marcelino DEJESUS-Hernandez and Leidi Gabriela ALMARAZ-Ramirez**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said aliens and upon arrival did not bring and present said aliens immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT

James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 21st DAY OF MAY 2008.


Anthony J. Battaglia

UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:

Paul RAMIREZ-Medina

PROBABLE CAUSE STATEMENT

Furthermore, the complainant states that **Bianco Martin WUOTTO-Guzman, Marcelino DEJESUS-Hernandez, and Leidi Gabriela ALMARAZ-Ramirez**, are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On May 19, 2008, at approximately 9:45 p.m., while performing line watch duties east of the Tecate, California Port of Entry, Border Patrol Agent J. Obermeyer observed one individual, later identified as the defendant **Paul RAMIREZ-Medina**, giving directions to ten individuals as they crossed the United States/ Mexico International Border Fence. Agent Obermeyer observed the defendant give directions and lead ten individuals into a drainage ditch approximately twenty yards north of the United States / Mexico International Border Fence.

This drainage ditch is within the Tecate Port of Entry compound which is well lit with stadium lighting. This allowed Agent Obermeyer, through his binoculars, to observe the defendant giving directions to the ten individuals. Agent Obermeyer then observed the defendant guide and direct the ten individuals northwest across Thing Road. Agent Obermeyer also communicated via his Department radio a description of the defendant's clothing and as leading the group to Border Patrol Agent S. Hall. Agent Hall was operating an infrared scope north of Agent Obermeyer.

Once the individuals crossed Thing Road, Agent Hall detected the eleven individuals with an infrared scope and observed them trying to conceal themselves in some brush approximately 100 yards east of the Tecate, California Port of Entry and 200 yards north of the United States/ Mexico International border. Agent Hall observed the defendant talking on a cellular phone after he had placed the group in the brush, Agent Hall then directed Agent H. Ballow to where the eleven individuals were attempting to conceal themselves. Agent Ballow approached the eleven individuals and identified himself as a United States Border Patrol Agent and questioned all eleven individuals as to their citizenship and immigration status. All eleven individuals including the defendant admitted to being citizens and nationals of Mexico without any proper immigration documents that would allow them to enter or remain in the United States legally. Agent Ballow then arrested the eleven individuals at approximately 10:00 p.m. and transported them to the Tecate processing center.

DEFENDANT STATEMENT: **Paul RAMIREZ-Medina**

the defendant was read his Miranda Rights and stated that he understood his rights and was willing to speak without having an attorney present. The defendant stated he is a citizen and national of Mexico illegally present in the United States.

He admitted making arrangement in Tecate, Baja California, Mexico with a friend of his by the nickname of "El Mamucas". He also stated he was to pay \$2,000.00 U.S. dollars (which is a substantial amount less than the other illegal aliens' paid,) in an unspecified amount of time.

CONTINUATION OF COMPLAINT:**Paul RAMIREZ-Medina**

When the defendant was confronted with agent observations made by Agent Obermeyer and Agent Hall, he stated that "El Mamucas" told him to take the group near a store parking lot on the north side. He further stated he and the group were to wait near the store parking lot until a black suburban came by to pick them up. The defendant was questioned as to why he was away from the group when they were arrested. He stated he was waiting for the black suburban to pick them up as instructed by his friend "El Mamucas". A consensual search of his cell phone showed he had been in contact with "El Mamucas."

MATERIAL WITNESSES STATEMENTS:

Material Witnesses **Bianco Martin WUOTTO-Guzman, Marcelino DEJESUS-Hernandez, and Leidi Gabriela ALMARAZ-Ramirez** stated that they are citizens and nationals of Mexico illegally present in the United States. They stated that they did not have any immigration documents allowing them to be in the United States legally. They stated that arrangements had been made in Tijuana, Baja California, Mexico and Tecate, Mexico to be smuggled into the United States. All the material witnesses stated that a fee ranging from \$3, 000.000 to \$3, 800.00 U.S. dollars when they reached there destinations in the United States. When shown a photographic lineup, all the material witnesses were able to identify the defendant **Paul RAMIREZ-Medina** as the foot guide.